



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,990	01/30/2001	Anna Pia Slothower	PALM-3559.US.P	4362

7590 05/19/2003
WAGNER, MURABITO & HAO LLP
Third Floor
Two North Market Street
San Jose, CA 95113

EXAMINER

NGUYEN, JENNIFER T

ART UNIT PAPER NUMBER

2674

DATE MAILED: 05/19/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

7

Office Action Summary

Application No.

09/774,990

Applicant(s)

SLOTHOWER ET AL.

Examiner

Jennifer T Nguyen

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to amendment filed on 02/13/2003.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being unpatentable over the prior art Fig. 1, cited by Applicant.

Regarding claim 1, the prior art Fig. 1 teaches an integrated enclosure/touch screen assembly comprising: a display mechanism (140); a digitizer mechanism comprising a top film (120) and a resistive digitizing element (130); and a single piece cover enclosure (110) for said touch screen assembly disposed over said top film (120) of said digitizer mechanism to allow mechanical transfer between said single piece cover (110) and said digitizer mechanism, wherein said resistive digitizing element (130) can be activated by mechanical pressure applied to the external surface of said single piece cover enclosure (110) (Fig. 1).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2674

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art Fig. 1, cited by Applicant, in view of Donohue et al (U.S. Patent No. 6,262,717).

Regarding claims 2, 3, and 17, the prior art Fig. 1 differs from claim 2 in that it does not specifically teach a single piece cover enclosure is constructed using in mold decoration.

However, referring to Fig. 2, Donohue teaches single piece cover enclosure is constructed using in mold decoration (col. 8, lines 12-53, col. 14, lines 34-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the single piece cover enclosure is constructed using in mold decoration in order to provide a easy way of manufacture and a higher apparent brightness display.

Regarding claims 4 and 11, the combination of the prior art and Donohue teaches finger pressure on the external surface of said single piece cover enclosure can be used to activate said digitizer mechanism (col. 8 of Donohue, lines 12-38).

Regarding claims 5 and 12, the combination of the prior art and Donohue teaches wherein stylus pressure on the external surface of said single piece cover enclosure may be used to activate said digitizer mechanism (Fig. 8 of Donohue, col. 11, lines 45-47).

Regarding claim 6, the combination of the prior art Fig. 1 and Donohue teaches wherein said single piece cover comprises a mylar polycarbonate material (col. 7 of Donohue, lines 35-40).

Regarding claims 7, 14 and 20, the prior art Fig. 1 further teaches the soft thermoplastic film has sufficient deflection under external pressure to active said digitizer mechanism.

Regarding claims 8 and 15, the combination of the prior art Fig. 1 and Donohue teaches the single piece cover enclosure for said display mechanism and said digitizer mechanism is constructed with a flat outer top surface free of any indentation (Fig. 2 of Donohue).

Regarding claims 9 and 16, the prior art Fig. 1 teaches an integral enclosure/touch screen assembly comprising: a display mechanism (140); a digitizer mechanism comprising a top film (120) and digitizing element (130); a single piece cover enclosure (110); and a supporting structure (105) for supporting said display mechanism (140), said digitizer mechanism and said single piece cover enclosure, wherein said digitizing element and said single piece cover enclosure form a single mechanism structure and wherein said resistive digitizing element (130) can be activated by mechanical pressure applied to the external surface of said single piece cover enclosure (110) (Fig. 1).

The prior art Fig. 1 differs from claim 9 and 16 in that it does not specifically teach the single piece cover enclosure is bezel-less. However, Donohue teach single piece cover enclosure is bezel-less (Fig. 2, col. 8, lines 12-53, col. 14, lines 34-40, and see abstract section). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the single piece cover is bezel-less as taught by Donohue in the system of the prior art Fig. 1 in order to provide a waterproof and dust free environment for the touch screen and reduce to thickness to the display components.

Regarding claims 10 and 19, the combination of the prior art Fig. 1 and Donohue teaches said single piece cover enclosure is a soft thermoplastic outer film that is coupled to said top film of said digitizer mechanism. the combination of the prior art Fig. 1 and Donohue differs from claims 10 and 19 in that it does not specifically teach the single piece cover enclosure is coupled to supporting structure. However, it would have been obvious to obtain the single piece cover enclosure is coupled to supporting structure in order to provide a waterproof and dust free environment for the touch screen.

Art Unit: 2674

Regarding claims 13 and 18, the prior art Fig. 1 further teaches the digitizing element of said digitizer mechanism is a resistive type digitizing element.

6. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**.

The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reach at **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to: 703-872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding

Art Unit: 2674

should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen
Patent Examiner
Art Unit 2674

A handwritten signature in black ink, appearing to read 'Richard Hjerpe', written in a cursive style.

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600